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Attorneys for Defendant Google, Inc.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, [SAN JOSE DIVISION](#)

CLRB HANSON INDUSTRIES, LLC d/b/a
INDUSTRIAL PRINTING, and HOWARD
STERN, on behalf of themselves and all others
similarly situated,

Plaintiff,

v.

GOOGLE, INC.,

Defendant.

CASE NO. [C 05-03649 JW](#)

**[\[PROPOSED\] ORDER GRANTING
DEFENDANT GOOGLE, INC.'S
MOTION TO DISMISS PLAINTIFFS'
COMPLAINT](#)**

Fed. R. Civ. P. 12(b)(6), 9(b)

Date: December 5, 2005
Time: 9:00 a.m.
Place: Courtroom 8
Judge: Honorable James Ware

**[\[PROPOSED\] ORDER GRANTING DEFENDANT
GOOGLE, INC.'S MOTION TO DISMISS PLAINTIFFS'
COMPLAINT](#)**

CASE NO: C 05-03649 JW

1 Defendant Google, Inc.'s Motion to Dismiss Plaintiffs' Complaint and each cause of
2 action therein, brought pursuant to Federal Rules of Civil Procedure 12(b)(6) and 9(b), having
3 come on for hearing, the Court having considered all relevant documents and evidence and
4 having considered the arguments of counsel, and good cause appearing therefor:

5 IT IS HEREBY ORDERED that Defendant's Motion to Dismiss Plaintiffs' Complaint is
6 granted and plaintiffs' complaint is dismissed in its entirety, without leave to amend, pursuant to
7 Federal Rule of Civil Procedure 12(b)(6), and that plaintiffs' claims for fraud and negligent
8 misrepresentation are also dismissed for lack of specificity, pursuant to Federal Rule of Civil
9 Procedure 9(b).

10 DATED: _____, 2005

11 _____
12 Honorable James Ware
U.S.D.C., Northern District of California

13 Respectfully submitted:

14 **PERKINS COIE LLP**

15 By _____/s/
16 David T. Biderman

17 Attorneys for Defendant
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